IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

WEDNESDAY, THE 31ST JANUARY 2007 / 11TH MAGHA 1928

Bail Appl..No. 502 of 2007()

CRMP.193/2007 of SESSIONS COURT, PALAKKAD
CMP.139/2007 & CMP 141/2007 of J.M.F.C.,OTTAPPALAM

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: PETITIONERS/ACCUSED NOS.2 TO 5:

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1. ABDUL GAFOOR, S/O. HAMSA,
AGED 23 YEARS, KOZHIPALLIYALIL, KADAMPAZHIPURAM,
OTTAPALAM TALUK.

2. RAJAGOPALAN, S/O. RAMAKRISHNAN,
AGED 25 YEARS, PULIMURATHIL VEEDU,KADAMPAZHIPURAM,
OTTAPALAM TALUK.

3. RAMAKRISHNAN, S/O. KARTHUNNI,
AGED 18 YEARS, MANNADIYIL VEEDU, KADAMPAZHIPURAM,
OTTAPALAM TALUK.

4. ABBAS, S/O. HAMSA,
AGED 23 YEARS, ALAMKULAM VEEDU, KADAMPAZHIPURAM,
OTTAPALAM TALUK.

BY ADV. SRI.PHILIP T.VARGHESE
SRI.THOMAS T.VARGHESE

RESPONDENTS: COMPLAINANT:

STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM REPRESENTING THE
S.I. OF POLICE, CHERPULASSERY.

BY PUBLIC PROSECUTOR SHRI P.N.SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 31/01/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

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BAIL APPLICATION NO.502 OF 2007

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DATED THIS THE 31st DAY OF JANUARY, 2007

O R D E R

In this Petition filed under Sec.439 Cr.P.C. the petitioners who are accused Nos.2 to 5 in Crime No.2/07 of Cherpulassery Police Station for an offence punishable under Section 379 read with section 34 I.P.C., seek their enlargement on bail. They were arrested on 2.1.2007.

2. I heard the learned counsel for the petitioners and the learned Public Prosecutor.

3. Having regard to the nature of the offences, the duration of judicial custody of the petitioners and the other circumstances of the case etc., I am inclined to grant bail to the petitioners. Accordingly, the petitioners are directed to be released on bail on each of them executing a bond for Rs.10,000/- (Rupees ten thousand only) with two solvent sureties each for the like amount to the satisfaction of the J.F.C.M., Ottappalam and subject to the following conditions:

1. The petitioners shall report before the Investigating Officer between 9 a.m. and 11 a.m. on all Wednesdays.

2. The petitioners shall make themselves available for interrogation as and when required by the Police, till the filing of the final report.

3. The petitioners shall not influence or intimidate the prosecution witnesses nor shall they attempt to tamper with the evidence for the prosecution.

3. The petitioners shall not commit any offence while on bail.

If the petitioners commit breach of any of the above conditions, the bail granted to them shall be liable to be cancelled.

This application is allowed as above.

V.RAMKUMAR, JUDGE.

dsn